

ESTTA Tracking number: **ESTTA642973**

Filing date: **12/05/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91219070
Party	Defendant DROPBOX, INC.
Correspondence Address	Susan L. Heller Greenberg Traurig, LLP 1840 Century Park East, Suite 1900 Los Angeles, CA 90067 latm2@gtlaw.com
Submission	Answer
Filer's Name	John L. Slafsky
Filer's e-mail	trademarks@wsgr.com, jslafsky@wsgr.com, sbrannen@wsgr.com
Signature	/John L. Slafsky/
Date	12/05/2014
Attachments	Answer to Notice of Opposition.pdf(576436 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

THRU INC.,)	
)	Opposition No: 91219070
Opposer,)	
)	ANSWER TO
v.)	NOTICE OF OPPOSITION
)	
DROPBOX, INC.,)	
)	Serial No. 85012206
Applicant.)	
)	
)	

Dropbox, Inc. (“Applicant”), through its undersigned attorneys, hereby submits this Answer to the Notice of Opposition filed by Thru Inc. (“Opposer”) in the above-captioned proceeding. Unless expressly admitted herein, each allegation contained in the Notice of Opposition is denied.

1. Applicant admits the allegations in Paragraph 1 of the Notice of Opposition.¹
2. Applicant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2 of the Notice of Opposition and on that basis denies those allegations.
3. Applicant denies the allegations in Paragraph 3 of the Notice of Opposition.
4. Applicant denies the allegations in Paragraph 4 of the Notice of Opposition.
5. The allegations in Paragraph 5 of the Notice of Opposition comprise a prayer for relief, to which no response is required.

¹ Applicant notes that “210” in Paragraph 1 of the Notice of Opposition is a typographical error and should read “2010.”


AFFIRMATIVE DEFENSES

First Affirmative Defense

6. Applicant's rights to the DROPBOX mark are superior to those, if any, of Opposer. Among other things, Applicant has acquired third-party rights that are superior to those claimed by Opposer.

Dated: December 5, 2014

WILSON SONSINI GOODRICH & ROSATI
A Professional Corporation

By: 
John L. Slafsky
Stephanie S. Brannen

Attorneys for Applicant
DROPBOX, INC.

Please address all communications concerning this proceeding to:

John L. Slafsky
Stephanie S. Brannen
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, California 94304-1050
Telephone: (650) 493-9300
Fax: (650) 493-6811
trademarks@wsgr.com

CERTIFICATE OF SERVICE BY MAIL

I, Shelie Plourde, declare:

I am employed in Santa Clara County. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050.

I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence would be deposited with the United States Postal Service on this date.

On this date, I served **ANSWER TO NOTICE OF OPPOSITION** on each person listed below, by placing the document described above in an envelope addressed as indicated below, which I sealed. I placed the envelope for collection and mailing with the United States Postal Service on this day, following ordinary business practices at Wilson Sonsini Goodrich & Rosati.

John M. Cone
Hitchcock Evert LLC
P.O. Box 131709
Dallas, TX 75313-1709

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California on December 5, 2014.



Shelie Plourde